

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

In re Application of: Bacus, et al.  
Application Serial No.: 10/735,118  
Filing Date: December 11, 2003  
Title: Method For Predicting Response to Her-2 Directed Therapy  
Examiner: Goddard, Laura B.  
Art Unit: 1642  
Atty. Docket No.: CST-213  
Confirmation No.: 4570

Mail Stop: Amendment  
Commissioner for Patents  
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**Amendment and Response under 37 C.F.R. §1.116**

In response to the Office Action mailed January 21, 2010 ("Office Action") that has issued in the above-referenced patent application ("Application"), Applicants submit the following remarks. Applicants request herein a Petition for a One Month Extension of Time, making this Response due on or before May 21, 2010.

This Response includes the following sections presented on the subsequent pages:

**Amendments to the Claims** are reflected in the listing of claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

**Conclusion** begins on page 5 of this paper.